

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 3, 1858.—Ordered to be printed.

Mr. MALLORY submitted the following

REPORT.

The Committee on Naval Affairs, to whom was referred the memorial of William H. Kennon, late purser in the navy, praying for the same compensation as has been allowed to his predecessor and successor on board the United States steam frigate Mississippi, have had the same under consideration, and report:

That, from information furnished by the Navy Department in reply to a letter from the committee inquiring for the facts involved in the statement of the memorialist, it appears Mr. Kennon's application for the difference of pay claimed was made to the department on the 23d of November, 1853, and having been referred to the Fourth Auditor of the Treasury, the following report in the case was rendered by that officer:

"I respectfully state that while Mr. Kennon served in the Mississippi she was a 'steamer of the first class,' and the pay allowed by law to the purser of such a vessel is \$2,000 per annum only. When Purser Bryan served in her, she had been classed by the department as a 'frigate,' and he was, therefore, entitled to pay at the rate of \$3,000 per annum. On the 3d of June, 1845, the Secretary of the Navy informed this office that, in the settlement of future accounts, she was to be considered as a 'steamer of the first class.' Accordingly, Purser Warrington, who succeeded Purser Bryan, and Purser Kennon, who succeeded Purser Warrington, were allowed \$2,000 only. By a subsequent order of the department, dated on the 22d of November, 1850, to take effect on the 1st of January, 1851, the classification was again changed, and the Mississippi was rated as a 'steam frigate.' Under this order Purser Etting, who was then attached to her, was paid at the rate of \$3,000 per annum from the 1st of January, 1851, but for his previous services he was allowed at the rate of \$2,000 only. I do not think that Mr. Kennon has a lawful claim to the allowance he asks."

To which, after expressing his concurrence in the views of the Fourth Auditor, the then Secretary of the Navy (Mr. Dobbin) adds: "It is proper to state that, when Mr. Kennon was ordered to the

Mississippi, it was only his second cruise, and, by the regulations of the department, if she had been rated as a frigate, he would not have been entitled to have been ordered to her."

Subsequently, under a similar reference from the department, and relative to the duties of Mr. Kennon as purser of the Mississippi, during the "Mexican war," the Fourth Auditor replies:

"I respectfully state that there is no evidence on the files of this office to show that the duties of Purser Kennon, during the year and a half that he was on board the steam frigate Mississippi, were more varied or onerous than might reasonably be expected to devolve on the purser of the flag ship of a squadron in time of war. Doubtless, many transfers were made of stores and money to other vessels, but when such transfers were made, Mr. Kennon had only to take receipts from the disbursing officers of those vessels, upon the production of which he would receive credit for the amount. He did not act as purser of any vessel except his own. I know of no peculiarity in his situation, nor any cause arising out of the regulations or instructions to which he was subjected, that would have prevented him, with the exercise of due diligence, from keeping and rendering accurate accounts of his disbursements."

To the allegation of the memorialist, unaccompanied by other evidence, that "by order of the commander-in-chief" he "was obliged to act as disbursing officer, not only of that ship, but of five small schooners and steamers, and of two shore stations—the hospital on the Island of Salmadina, and the naval station established at Vera Cruz"—the Fourth Auditor replies: "He did not act as purser of any vessel except his own."

Your committee, concurring in the opinion of the Fourth Auditor in the reports hereinbefore recited, and under the fact as stated by the Secretary of the Navy, that "by the regulations of the department, if she (the Mississippi) had been rated as a frigate, he (Mr. Kennon) would not have been entitled to have been ordered to her"—report that, in their judgment, the memorialist has no just claim for the additional compensation prayed, he having received the full pay to which he was entitled by his position on the register and the rate of the vessel to which he was attached; and that his pay was equal to the amount received by his immediate predecessor and successor, during the period in which the Mississippi was rated as a "steamer of the first class." Your committee therefore ask to be discharged from the further consideration of the subject.